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NEUTRALITY LAW.

A misleading and entirely incorrect statement was recently made by one of our contemporaries regarding a certain application of the laws of neutrality. The statement is this: "The British Government had proclaimed neutrality, and the escape of the Alabama was a violation of the rule laid down by the Government, and these Islands have laid down no such rule."

This statement is a flat contradiction of the authorities on international law, Wheaton, Hall, Lawrence and of the statements contained in the published case itself.

Great Britain proclaimed her neutrality and observed it as it was understood by her rulers. But as Lawrence, one of the authorities says, "the most important maritime power in the world was guilty of a breach of international law without knowing it, and while being informed by all her own authorities that her conduct was perfectly correct."

While she had not violated her own rules of neutrality, as declared by her own rulers, she had violated that international law which is not made by one nation, but is the result of a very general and often vague understanding by all nations.

The treaty of Washington which provided for the Geneva award in the "Alabama" case, especially declared that the issues should be tried by the principles of international law, and not by any rules of neutrality which Great Britain had recognized in her own practice. The arbitrators held, in deciding the case, that the British precedents and practice did not go far enough, and were insufficient, and, thereupon, they laid down stricter, and more stringent rules of neutrality than had ever before existed, even more stringent than the United States were in favor of.

At a time when our position is an interesting, though not a dangerous one, it is just as well that we find out what the law really is.

A State, according to the well recognized authorities, is under obligations of neutrality, even if neutrality is not proclaimed. Germany has not proclaimed her neutrality, but she is bound to obey international laws regarding neutrals, so far as they bind any nation, and so far as they are generally accepted. These authorities say, and in previous issues we have quoted them, that international law does not yet cover certain articles, such as coal or food. France, in the Chinese war declared rice to be contraband, but this is not considered good law. The United States in her treaties has agreed to consider certain articles contraband, but Great Britain refuses to follow her in all cases.

But all nations are agreed, and this is international law, that no country can remain neutral, and allow itself to become "a base of operations" for either belligerent. Should Hawaii ever be called upon to meet the charge of a violation of neutrality, and besides that, of breaking her treaty with Spain, an event which is entirely unlikely to happen, she will be charged as Great Britain was charged, in the Alabama case, not with violating any rules of her own, but of disregarding international law.

If Hawaii has violated her treaty with Spain, by refusing to submit to, or act upon the arbitration clause, although it is a very clear one, it will, we believe, be the first instance in modern times of a nation deliberately "jumping" on a treaty which provides for arbitration. If a serious issue is ever raised about it, it will present a novel question. If our unexecuted agreement with the United States for annexation has terminated our treaty with Spain, it relieves us from the charge of being a nation, and the first nation, to violate a treaty which provided for arbitration. We hope of course that the charge cannot be sustained. But we may as well look the fact in the face, especially as we desire the Americans to know that we have not hesitated to "sacrifice our honor" in their interests.

A CRITICAL MOMENT.

This paper has preached in season, and especially out of season the very disagreeable doctrine that the annexation movement was slow and gradual on the part of the United States; that its final success did not depend upon the insignificant condition of things here, but entirely upon the wishes of the American Nation in developing their commercial interests in the Far East, and the incidental advantage of these Islands for strategic purposes. This way of looking at the matter has been thoroughly disapproved of by the irrepressible element here, who have

felt that the sober view and a luke warm feeling are one and the same. But the movement has been silently going on, and reasons which did not appear were working a change.

No one thought, a year ago, of suggesting the "Philippine" reason in the matter of annexation. It has been, however, not so much a reason as an object lesson. It illustrates with remarkable force the extent to which men are influenced by object lessons, and not by reasons, just as the cholera epidemic of 1895 forced upon us decided action.

Immediate annexation may now turn on the simple question of peace or war. The permanent occupation of the Philippines, or the continuance of the war will probably secure immediate annexation. There seems to be no way of escaping from this conclusion. Evidently Speaker Reed appreciates it however much he may dislike it.

The danger of the postponement of annexation lies in a sudden peace, which may occur at any moment. Powerful influences are at work in Europe to compel the Spaniards to abandon Cuba at once. They may do so, however improbable it appears to us.

If within a few days, Cuba should be abandoned, in all probability Manila would be abandoned by the United States. Admiral Dewey does not hold an acre of land in the Philippines. He simply holds the harbor and nothing more. Should he be recalled, and the Spaniards remain in possession, it will not aid annexation, and may delay it, though not permanently.

The restoration of peace within a few days will, therefore, be a matter of great importance to us, affecting only the question of immediate annexation.

A VICIOUS REPORT.

The Special Committee of the House on Road Contracts and Public Works, has made a report to the House in which they charge the Superintendent of Public Works with (1) negligence, (2) wrongfully withholding moneys due for labor done, (3) bad construction of roads, favoritism in distribution of awards, incompetence in preliminary surveys, illegal seizure of private property, (4) withholding money from applications to legitimate objects, (5) private banking with public moneys, (6) wronging contractors, (7) prejudice and favoritism, (8) presenting an unsatisfactory and unreliable report, (9) ignorance of the class of work done by sub-contractors.

This report is signed by A. B. Loebenstein, J. D. Paris, W. F. Pogue, and L. L. McCandless. Representative Isenberg refused to sign it because, he stated, the Superintendent had not had a fair hearing, as we will show. It is a fact beyond dispute that the Committee has been, for some days, taking testimony, and on one occasion, recently, called the Superintendent before it and examined him briefly.

At no time during this elaborate examination, did the Committee furnish the Superintendent with a copy of the testimony against him, or with a copy of any charges against him, nor did it even intimate to him that it would make any charges against him.

We do not discuss the merits of these charges. The Superintendent is not now on trial before the public, but the Committee is on trial for deliberately convicting a man, without giving him a hearing. The Committee has acted as prosecutor, judge, and jury, and made its judgment without charge, information or hearing. It has made an effort to ruin a man's character, without permitting self defense.

What the true Anglo-Saxon, and every righteous man insists on is fair play and not foul play, that a man shall not be convicted, as the Superintendent has been in this report, without definite charges and an open hearing. The President of the Republic is entitled to it. So is the small boy who steals a banana. "Fair play" is the ring of the Anglo-Saxon current coin in the exchanges between man and man. It repudiates the "shimplasters" of underhandedness, treachery, and conviction without trial.

On the facts as we have stated them, and which are true, the Committee, excluding Representative Isenberg, has cut the ham strings of its own moral sense of right, if it ever had any, and it wobbles and reels in the Legislative hall like a mutilated bullock. It seems to display only the ignorance of naked savages, and the vindictive hatred of justice shown by the Spaniards. The sooner these members are run out of the country, through Dewey's lines into the Spanish lines of the Philippines, the sooner they will get nearer to their natural and congenial home. They deny to the Superintendent that, which if denied to each of them, would make them whine like whipped dogs.

For an outrage like this, there can be no measured language. The Anglo-

Saxon never measures words, when he sees flagrant, deliberate, premeditated injustice, and want of fair play. It offends his moral sense with the smell of a thousand pole cats.

The monarchy did better than this. For the monarchy had some excuse in the racial ignorance of the natives of the Anglo-Saxon way of doing things.

It is natural enough that Loebenstein should father these charges. The man who deliberately indicted the President and his advisers with treason, and failed to prove it, is naturally the man to father them. "The father of lies, in the course of nature becomes the father of liars," and breeds these uncanny brats. When Representative Paris loses sight of the Kona donkeys, he is like a mariner who loses sight of the North Star, and of course goes wrong. Representative McCandless will never find "truth which lies at the bottom of the well," without sinking his artesian well borer deeper than he has yet done. As for Representative Pogue he treats the Superintendent as if he were a Maui steer to be simply lassoed and butchered.

Rev. Joseph Cooke told all New England that a Republic could not exist in the tropics. These men are trying to prove that he is right.

The law restoring the old heathen temples has passed just in time. They will be the only fit places for these white heathen to enter, and in their moral darkness, "bow down to wood and stone." But the heathen gods must hold their noses while these worshippers kneel before them, and their rank offences smell to the pagan Heaven.

THAT VICIOUS REPORT.

We repeat again, the statement we made yesterday morning, that a committee of the House, has made nine principal charges, and four subordinate, but equally serious charges against the Superintendent of Public Works; charges which if true, cover him with public infamy, and upon indictment and conviction under the criminal laws, would consign him to prison.

That during the elaborate examination into the Superintendent's conduct, the Committee has, at no time, furnished the Superintendent with a copy of the testimony taken against him, or a copy of the charges which appear in its report, nor did it intimate to him that it would make any charges against him.

This is in effect "lynch law." It is execution without trial.

The Legislature has full power to investigate the conduct of the public business. It has, moreover the legal right, to condemn within constitutional limits without hearing. It is supreme in this respect, and can not be reached or overruled by any other power excepting that of Public Opinion. This power of Public Opinion acts with more or less force through the Press. When the Legislative body attempts to control or crush, or hamper Public Opinion, however harshly it may express itself, it strikes at free speech. Just at this point, the Supreme Court, appears, and under clear provisions of the Constitution, takes the matter out of the hands of the Legislature, and protects free speech, completely and without flinching. The Legislature may recklessly ruin the reputation of an official, by accusing him of a criminal waste of public money in "junketing trips," but when it strikes at Free Speech, it strikes against the steel pricks of the Constitution, and the Supreme Court calls a halt.

Against reckless, unfounded charges made by the Legislature, or by its committees, the accused has no means of self defense whatever save only as the Press, acting for the people, stands before him or by him.

When the Legislature, or one of its committees has seriously, deliberately, and with an obvious sense of justice condemned an official, the public will stand by the Legislature. Even if the official declares and offers proof of his innocence, it may condemn him with the assent of public opinion.

But an attempt to "railroad" a man into infamy without giving him "fair play" cannot and will not be tolerated.

The great source of municipal corruption in the American States, is in the Public Works Department. It is the festering sore on the body politic. It has burdened cities and towns with heavy debts for which there has been no equivalent. Poor people are taxed to pay these fraudulent debts.

This Department of all needs the vigilant protection of the Press and the public. It is under the strongest temptation, as most capable of covering frauds, and is most liable to attack from the men who want "hoodle." An honest Department of this kind is a lion in the roadway of scamps.

The Whangdoodle journal refers to our remarks, in these words: "it is by

no means a wise method to begin attacking the evidence of one side before decision is come to."

We again repeat that we positively refuse to discuss or "attack" any evidence. We simply and strictly confine our remarks to the intolerable abuse of the sense of fair play, and of common justice in the report made by a committee, consisting of nearly one-third of the members of the House, which report is a judgment by it, that the Superintendent is guilty of crimes, without giving him due notice and a hearing. That is our point. Can the Whangdoodle brain take it in?

QUARANTINE.

"Perhaps the most striking survival of past barbarism is quarantine. In the closing years of the nineteenth century—with our boasted sanitation and remedial measures for the amelioration of suffering humanity—it is little short of astounding that certain alleged civilized nations should, on the approach or menace of disease, cry 'Away! Unclean! Unclean!' irrespective altogether of the ineffectiveness and cruelty of such action. In England there is no quarantine; yet it cannot be said that the national health has been jeopardized in consequence. Other countries, however, are not so enlightened as we, and they enforce quarantine with a vigor evidential at once of trepidation and ineptitude."

This is what Syren says in reviewing the terrible hardships inflicted on sailors and passengers in vessels where epidemics appear.

Herbert W. Bowen, late American Consul at Barcelona, states that several times before he left that place mobs numbering as many as 5000 persons threatened to destroy the Consulate. The police however protected him. He noticed that among the men forming one mob, there were very many persons in dress suits. He says also: "I want to say that this country (the United States) hardly realizes how friendly Great Britain has been to us, during the last few weeks in practical ways, as well as in expressions of sympathy. But I think we shall soon understand that she is our truest and staunchest friend."

We have some very interesting literature on the subject of mule purchases. It may give Representative Loebenstein some hints, if the United States should desire to purchase mules in this market for the Manila campaign.

WEDDED.

St. Andrew's Cathedral Marriage at Noon.

In St. Andrew's Cathedral at high noon yesterday D. Howard Hitchcock, the artist, was united in marriage with Miss Hester Dickson, the Rev. Alex. Mackintosh performing the ceremony, using the ritual of the American Episcopal Church. The church was well filled with the friends of the young couple, summoned there by invitation. The church was a mass of flowers and ferns, particularly the front part.

At the appointed hour, the bride entered the church supported on the arm of her uncle, Chief Justice Judd. Preceding her were the groomsmen, Messrs. John and Harry Waterhouse; the bridesmaids, Misses Cordelia Carter and Clara Fuller and then, the maid-of-honor, Miss Pauahi Judd, in order named. The groom with his best man, Mr. Walter Dillingham, were at the appointed spot and, as the strains of "The voice that breathed o'er Eden" died away, the service began. Then came the soft music of Bach's "Sara-band" by Prof. Yandley on the violin and Wray Taylor on the organ. This continued throughout the ceremony. As the wedding procession proceeded to the vestry to sign the register, the bridal march from Lohengrin was played.

The ceremony over, the bridal party went to the home of Dr. and Mrs. Day, where the wedding breakfast was served.

The newly married couple have gone to the country. They will return in time for the Kinau on Tuesday to go to their future home in Oia.

Both the young people are very well known in Honolulu. They were born in Hawaii and intend to make this their home.

The ushers at the church were: Messrs. George Carter, S. G. Wilder, Gerritt P. Wilder and E. R. Adams.

Big Police Drill.

Marshal Brown has decided to give a drill of both the mounted and foot police in Punahou pasture on Saturday afternoon for the benefit of the members of the Legislature. Of course, if the transports are here the drill will be called off. The public are cordially invited to attend. Many people have signified their wish to see these drills of the police but, since they have most always been given in the early morning, their wish has not been gratified. They will have a chance on Saturday. The drills of the police are certainly worth seeing.

COURT SAYS YES

Judge Perry Grants the J. K. Sumner Non-Compos Petition.

AN APPEAL TO BE TAKEN

Opinion on Memory Tests—Deal With Crandall Cited—Heavy Property Interests.

In a brief and crisp opinion, Circuit Judge Perry hands down the verdict that John K. Sumner is non compos mentis within the meaning of the law. While the decision covers but a few pages of typewriting, there is a point in every phrase and every sentence of the document. The case has been contested in a very determined manner. Judge Perry reviews completely the business and personal life of Sumner for the last three or four years and argues that the events cited establish the incapability of the aged and wealthy Hawaiian. Sumner is 77 years of age. His most notable possession is an undivided one-half interest in the reef property at Honolulu harbor, including Quarantine Island. Judge Perry gives an account of the transaction by which Crandall became attorney in fact for Sumner under most peculiar circumstances and refers to the lease of the Island interest, to the recent mortgage and note affairs involving transfer of all the property to Mrs. Sumner, a note for a large sum to a Chinese rice planter, an effort to go into the rice business under peculiar conditions and lastly is mentioned the prominence of such new friends as Robt. Wilcox and wife in the affairs of Sumner. The Court makes strong the point that while Sumner has at the tip of his tongue details of all kinds of happenings twenty and thirty and more years ago, his memory fails on the subject of recent dealings. This is taken as a sign of failure of mind or weakening of intellect to the extent that warrants intervention by the Court. Judge Perry concludes that he will appoint a guardian for Sumner, giving time for nomination and argument in the matter.

The petition to have Mr. Sumner declared non compos mentis was filed by Maria S. Davis through Attorneys Kinney & Ballou and J. A. Magoon. The lawyers for the respondent were W. R. Castle and P. L. Weaver. Maria S. Davis is the sister of John K. Sumner.

An appeal to the Supreme Court will be taken from Judge Perry's decision.

DEWEY'S PLAN OF MANILA.

Successfully Carried Past Customs Officials.

Mr. William Doherty, an American ornithologist and entomologist of reputation, has just returned to the United States from the Philippine Islands, via Hong Kong and San Francisco says the Scientific American. His latest distinction was in successfully passing the Spanish customs officers at Manila with the complete plans of the city, the harbor, fortifications and minute details of the armament. It was a dangerous proceeding, but Mr. Doherty carried it out successfully. The plans and drawings were concealed in a newly laundered shirt which was folded, pinned and banded in the usual style and put with other clothing in his trunk. He arrived in Hong Kong early in April and at once delivered these most important papers to Commodore Dewey on the "Olympia."

INTO THE LIGHT.

Let Congress make no mistake about Hawaii. Adjournment without the annexation of Hawaii will mean embarrassment to the administration, treachery to Dewey and our gallant men 5,000 miles away from the nearest American soil, encouragement, moral and material, to the cause of Spain, and aid and comfort to every enemy of this Republic. Force the opponents to this indispensable national measure out into the daylight. Compel them to show their real motives and to assume full responsibility for their obstructive acts.

There was a time when the arguments of opposition to Hawaiian annexation were entitled to respectful attention. A month has changed the conditions, finally and forever. The mill cannot grind with the water that is past.—New York Sun.

Hundreds of thousands have been induced to try Chamberlain's Cough Remedy by reading what it has done for others, and having tested its merits for themselves are today its warmest friends. For sale by all druggists and dealers. Benson, Smith & Co., Ltd., agents for Hawaiian Islands.

Few people annoy their enemies, but nearly every one annoys his friends.—Atchison Globe.

TIMELY TOPICS

June 17, 1898.

Wedding Silverware

As this is the season of wedding festivities we wish to call attention to our stock of Silverware.

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SOUP LADLES,
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In Plated Ware:

TEA SETS,
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BERRY, PIE, FISH,
AND BUTTER KNIVES.

A handsome line of

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OF

Perfumed with delicate odor from French Flowers. Leaves a sweet refined odor made from the sweetest materials obtainable. The grandest soap for the toilet and complexion.

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